

In the Matter of)
)
Implementation of the Commercial) MB Docket No. 11-93
Advertisement Loudness Mitigation (CALM) Act)

SMALL STATION FINANCIAL HARDSHIP WAIVER CERTIFICATION AND REQUEST

Family Broadcasting Group, Inc., licensee of Station KSBI(TV), Facility ID No. 38214, Oklahoma City, Oklahoma (“KSBI” or the “Station”), pursuant to Section 2(b)(2) of the Commercial Advertisement Loudness Mitigation Act (the “CALM Act”), as implemented by the *Report and Order* (the “Order”) in the above-captioned proceeding,¹ hereby certifies that, for purposes of the Commission’s CALM Act rules, KSBI is a “small broadcast station” and that, to avoid financial hardship, the Station requests a delay of at least one year to allow it to obtain equipment necessary to ensure compliance with the rules.

The Commission established a streamlined process to enable “small broadcast stations,” as defined in the Order, to request a financial hardship waiver of CALM Act rules.² During calendar year 2011, the Station, which is an independent non-network affiliated television station

¹ *Implementation of the Commercial Advertisement Loudness Mitigation (CALM) Act, Report and Order*, 26 FCC Rcd 17222 (2011).

² *Id.* at 17253.

broadcasting in the Oklahoma City, Oklahoma market, generated less than \$14 million in annual receipts. The Station thus qualifies as a small broadcast station.³

The Station requires a one-year delay so as to avoid the financial hardship that would be imposed if it were required to obtain the equipment necessary to comply with the CALM Act rules by December 13, 2012. The station may need additional logging equipment to verify and provide records to show proper volume control. Additionally, it may need a way to monitor the dial norm of audio going through the master control switcher. Rough estimates of the cost for this equipment is \$20,000-\$25,000.

We are also awaiting verification from Evertz that we do have loudness control implemented on their cards that we use for master control switcher, although we would still be missing a way to view and log it.


Acquisition of this equipment by December 13, 2012 would impose a significant hardship, given the Station's limited financial resources.

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³ "We define a 'small broadcast station' for purposes of the streamlined waiver as either a station with no more than \$14.0 million in annual receipts or that is located in television markets 150 to 210." *Id.*

Accordingly, KSBI meets the definition of a “small broadcast station” and hereby requests a financial hardship waiver permitting it a one-year delay in compliance with the CALM Act rules.

I hereby certify on this 12th Day of October 2012 that the foregoing information is true and correct to the best of my belief and knowledge.



Vincent Orza
President and CEO
Family Broadcasting Group, Inc.